

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

FILED
CHARLOTTE, NC
MAR 1 2023

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
LON JONATHAN BROOKS, JR.,)
Defendant,)
and)
AMERICAN & EFIRD, LLC,)
Garnishee.)

US DISTRICT COURT
WESTERN DISTRICT OF NC

CASE NO. DNCW5:08CR000048
(Financial Litigation Unit)

CONSENT ORDER OF GARNISHMENT

The parties, the United States of America, the Defendant, Lon Jonathan Brooks, Jr., and the Garnishee, American & Efird, LLC, agree and stipulate as follows:

1. The Defendant is Lon Jonathan Brooks, Jr., Social Security number [REDACTED]-2179, whose last known address is:

[REDACTED]
Dallas, NC [REDACTED]

2. A criminal judgment was entered on February 9, 2010 in Case No. DNCW5:08CR48 in the Western District of North Carolina against the Defendant in this action where Lon Jonathan Brooks, Jr., was ordered to pay an assessment and restitution in the amount of \$906,487.29. The parties agree and stipulate that the total balance due in this case is \$862,986.46, as of January 24, 2023.

3. The Garnishee has in its possession, custody, or control property of the Defendant in the form of wages paid to the Defendant.

4. The Defendant waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. § 3205, and further waives his right to a hearing under that

statute and any other process to which the Defendant may be entitled under 28 U.S.C. § 3001, *et. seq.*

5. The Garnishee waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. §3205, and further waives its right to answer and waives being heard in this matter and any other process to which the Garnishee may be entitled under 28 U.S.C. § 3001, *et. seq.*

6. The Defendant agrees and stipulates that his wages are subject to garnishment under 28 U.S.C. § 3205 and expressly agrees and stipulates that the entry of a Consent Order in Garnishment is proper.

7. The Garnishee agrees and stipulates that it is prohibited from discharging the Defendant from employment by reason of the fact that his earnings have been subject to garnishment from any one indebtedness. *See* 15 U.S.C. § 1674.

8. The parties agree and stipulate to the entry of a Consent Order of Continuing Garnishment against the non-exempt wages of the Defendant. It is expressly agreed and stipulated to by the parties that the Garnishee pay the Plaintiff twenty-five percent of the Defendant's earnings which remain after all deductions required by law have been withheld and continue said payments until the debt to the Plaintiff is paid in full or until the Garnishee no longer has custody, possession or control of any property belonging to the Defendant or until further Order of this Court. *See* 15 U.S.C. § 1673(a).

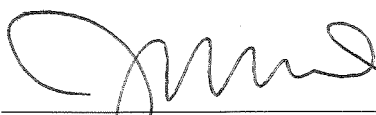
9. The parties agree and stipulate that the Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant would normally receive may be offset and applied to this debt.

10. The garnishment payments should be made payable to the United States Clerk of Court and mailed to:

United States Clerk of Court
401 West Trade Street
Charlotte, North Carolina 28202

Respectfully submitted,

DENA J. KING
UNITED STATES ATTORNEY



Julia K. Wood
Assistant United States Attorney
N.C. Bar No. 51754
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Agreed and Consented to:



Lon Jonathan Brooks, Jr.
Defendant

Agent for Garnishee
American & Efird, LLC

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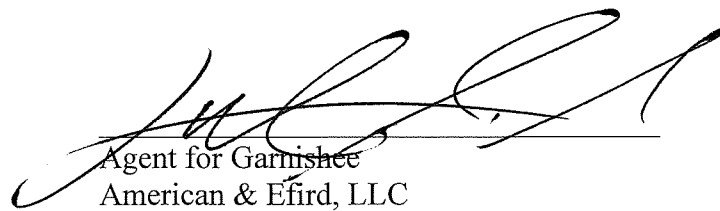
Respectfully submitted,

DENA J. KING
UNITED STATES ATTORNEY

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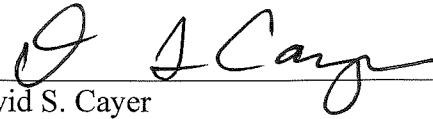
Lon Jonathan Brooks, Jr.
Defendant



Agent for Garnishee
American & Efird, LLC

SO ORDERED.

Signed:

A handwritten signature in black ink, appearing to read "D S Cayer", written over a horizontal line.

David S. Cayer
United States Magistrate Judge

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